

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>1</sup>

PROMESA Title III

No. 17-BK-3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

PROMESA Title III

No. 17-BK-4780-LTS

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

**DECLARATION OF WILLIAM J. NATBONY IN SUPPORT OF ASSURED  
GUARANTY CORP. AND ASSURED GUARANTY MUNICIPAL CORP.'S (I)  
OBJECTION TO MODIFIED SECOND AMENDED TITLE III PLAN OF  
ADJUSTMENT OF THE PUERTO RICO ELECTRIC POWER AUTHORITY AND  
RELATED PROPOSED ORDER AND (II) PARTIAL JOINDER TO OBJECTIONS OF  
THE AD HOC GROUP OF PREPA BONDHOLDERS TO THE MODIFIED SECOND  
AMENDED TITLE III PLAN OF ADJUSTMENT OF THE PUERTO RICO ELECTRIC  
POWER AUTHORITY**

I, William J. Natbony, state and declare as follows:

1. I am Counsel at Cadwalader Wickersham & Taft LLP, attorneys for Assured Guaranty Corp. and Assured Guaranty Municipal Corp. (collectively, “**Assured**”) in the above-captioned proceedings, admitted to practice law in the State of New York and admitted to appear *pro hac vice* in this matter. I am fully familiar with the facts and procedural history concerning this and other PROMESA Title III litigation in which Assured is involved and have personal knowledge of the matters set forth herein. I respectfully submit this declaration (the “**Declaration**”), pursuant to the *Third Amended and Restated Order Establishing, Among Other Things, Procedures and Deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith* [ECF No. 3565] (“**Confirmation Procedures Order**”), in support of *Assured Guaranty Corp. and Assured Guaranty Municipal Corp.’s (I) Objection to Modified Second Amended Title III Plan of Adjustment of the Puerto Rico Electric Power Authority and related Proposed Order and (II) Partial Joinder to Objections of the Ad Hoc Group of PREPA Bondholders to the Modified Second Amended Title III Plan of Adjustment of the Puerto Rico Electric Power Authority (the “Assured Objection”)*.

2. Attached hereto as Exhibit 1 is a true and correct copy of the cover page, certification page, and relevant excerpts from the deposition transcript of David Skeel, dated May 3, 2023.

3. Attached hereto as Exhibit 2 is a true and correct copy of the cover page, certification page, and relevant excerpts from the deposition transcript of David Brownstein, dated May 16, 2023.

4. Attached hereto as Exhibit 3 is a true and correct copy of the cover page, certification page, and relevant excerpts from the deposition transcript of Fernando Batlle, dated May 12, 2023.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Appellant's Brief, *Granada Wines, Inc. v. New England Teamsters and Trucking Industry Pension Fund*, Case No. 84-1518 (1<sup>st</sup> Cir. July 31, 1984).

6. Attached hereto as Exhibit 5 is a true and correct copy of the *Brief For Debtors-Appellees/Cross-Appellants, Fin. Oversight and Mgmt. Bd. for P.R. v. Cooperativa de Ahorro y Credito*, Case No. 22-1119 (1st Cir. April 1, 2022).

7. Attached hereto as Exhibit 6 is a true and correct copy of the *Reply Brief For Debtors-Appellees/Cross-Appellants, Fin. Oversight and Mgmt. Bd. for P.R. v. Cooperativa de Ahorro y Credito*, Case No. 22-1119 (1st Cir. April 22, 2022).

8. Attached hereto as Exhibit 7 is a true and correct copy of *National Pegs PREPA Settlement Recoveries Above 80% Amid Ongoing Look at Strategic Alternatives Including Potential Sale*, REORG RESEARCH (Mar. 1, 2023).

9. Attached hereto as Exhibit 8 is a true and correct copy of the MBIA Inc. 2022 Q4 Earnings Call Transcript (Mar. 1, 2023).

10. The Assured Objection cites to a number of exhibits not attached hereto. In those instances, Assured has provided docket cites and/or cites to publicly available websites accessible

to the Court. For the confirmation hearing, Assured will identify and list such exhibits and, to the extent directed by the Court, provide copies.

11. I declare under penalty of perjury under 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge.

Executed on June 12, 2023.

/s/ William J. Natbony

William J. Natbony, Esq.\*

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\* Admitted *pro hac vice*

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Assured Guaranty Municipal Corp.*